Ţ	UNITED STATES DISTRICT COURT for the District of Columbia	RECEIVED
Voltage Pictures, Inc.,	)	CLERKUS DISTON
Plaintiff,	) Law No. 1:10-cv-00873-1	CLERKUS. DISTRICT COURT RMU  RMU  CLERKUS. DISTRICT COURT  RMU
vs.		·
DOES 1-5,000,	) ) MOTION TO QUASH:	SUBPOENA
Defendant.	)	
	)	

John Doe, by and through his attorneys Lane & Waterman LLP, moves the Court to Quash Plaintiff's subpoena as follows:

- 1. This is an action to quash the subpoena issued by this Court, on behalf of Plaintiff Voltage Pictures, Inc. ("Voltage") for the disclosure of the names, addresses, telephone numbers, e-mail addresses and Media Access Control addresses of all individuals whose IP addresses were listed in an attachment to the subpoena, which included John Doe's IP address: 173.31.18.31.
- 2. The subpoena was served upon Mediacom Communications Corporation ("Mediacom") on September 21, 2010.
- 3. On October 18, 2010, John Doe received notice that Mediacom had been served with the subpoena requiring it to disclose John Doe's information as described above.
- 4. John Doe is a resident of Davenport, Iowa who has never lived, worked, or used any Internet service in the District of Columbia.
- 5. The District Court for the District of Columbia lacks personal jurisdiction over John Doe.
  - 6. The subpoena is procedurally defective and therefore unenforceable.

WHEREFORE, for the reasons set forth above, John Doe respectfully requests that the Court quash the subpoena as it pertains to John Doe.

LANE & WATERMAN LLP

By:

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## **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on November 3, 2010, by U.S. Mail:

Nicholas A. Kurtz **Dunlap, Grubb & Weaver, PLLC**1200 G. Street, NW, Suite 800

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Bruce Gluckman
Deputy General Counsel

Mediacom Communications Corporation
100 Crystal Run Road
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Tel: 845 605 2650

Tel: 845-695-2650 Fax: 845-695-2669

By: 1900, Maishour